THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 3197 OF 2007

Dated 25th June, 2007

Between:

Islamic Educational & Cultural Society,
Prakasam District and others.

…Petitioners

And

National Council for Teachers Education,
represented by its Regional Director,
Southern Regional Committee, NCTE,
1st floor CSD Building, HMT Post, Bangalore
and others.

…Respondents.

ORAL ORDER:

In this writ petition, the petitioners seek issuance of a writ of mandamus declaring the action of the 1st respondent in not sanctioning additional intake of seats in the second petitioner-institution as illegal and arbitrary.

The learned Standing Counsel for the first respondent has submitted that on the application being made by the petitioners for approval of additional intake capacity, notice dated 14.3.2007 was issued affording an opportunity to the petitioner-institution to make a written representation. The said notice indicates that the Committee formed an opinion that the institution, prima facie, did not fulfill the requirements, norms and standards laid down by NCTE in accordance with the provisions of the National Council for Teacher Education Act, 1993.

If the infrastructure or any other requirements are not complied with by the applicant, the respondent-authority has to specify the deficiencies for compliance. The reason indicated in the notice issued under Section 14(3)(b) of the N.C.T.E. Act, 1993 is vague. Unless the applicant is informed about the particulars of deficiencies in the application, it is not possible to comply the requirements. In that view of the matter, the respondents shall consider the matter afresh and if any deficiencies are there in the application for approval of the additional intake capacity as sought for by the petitioner-institution, the respondents shall specify them in detail and communicate to the petitioners as expeditiously as possible, and, preferably, within a period of four weeks from today.

Subject to above direction, the writ petition is disposed of. No

costs.

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25-6-2007

R.SUBHASH REDDY, J.

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